

REMARKS

This Amendment addresses the issues outstanding from the final Office Action dated December 18, 2006. Applicants respectfully request favorable reconsideration of this application in view of the amendments and remarks presented herein. In the following remarks, the outstanding rejections are addressed in the order in which they were presented in the final Office Action.

Claims 5-10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Fukushima. Without acceding to the rejection, independent Claims 5, 7, and 9 have been amended to further clarify the subject matter intended to be claimed, in an effort to advance the prosecution.

Independent Claims 5 and 7 have been amended more particularly to recite that the conical peripheral friction surface of the damper's ring member is coaxial with a rotation axis of the damper assembly. It is apparent that Fukushima's conical depressions 53 do not meet this limitation and, therefore, that Fukushima fails to teach or suggest the structures set forth in Claims 5 and 7, at least as presently amended. Further, Applicants would again note that the surfaces of Fukushima's balls 52 are spherical, not conical, as contended by the Office. Applicants fail to understand how Fukushima's spherical balls 52 can be

regarded providing conical surfaces and note that the Office's contention to this affect is purely conclusory and unsupported in the record. In any event, Claims 5 and 7 distinguish patentably from Fukushima in view of the present clarification of the claims. Applicants therefore respectfully request that the rejection on Fukushima be withdrawn as to Claims 5 and 7.

Independent Claim 9 has been amended more particularly to recite that the torque limiter provided inside the airtight damper includes a plurality of friction plates provided with wet-type friction material which limits the torque that can be transmitted through the damper.

The rejection of Claim 9 refers to a plurality of friction plates 1 in Fukushima. However, element 1 in Fukushima represents an input case and evidently does not meet the claimed friction plates provided with wet-type friction material. Moreover, it is apparent that, in contrast to the invention of Claim 9, the torque limiting effect in Fukushima is provided by an arrangement of cooperating conical depressions and spherical balls. Accordingly, Claim 9, at least as presently amended, distinguishes patentably from Fukushima.

Dependent Claims 6, 8 and 10-13 are patentable over Fukushima for at least the reasons discussed above with regard to their respective base claims.

Independent Claim 2 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Reik et al. (Reik). Without acceding to the rejection, Claim 2 has been amended more particularly to recite that the press plate has a radially outermost peripheral portion spline engaged with a radially inner peripheral portion of a torque transmitting member.

It is apparent that the portion of Reik's element 52 through which both 61 passes is not a radially outermost portion of element 52. Furthermore, Applicants stand by their previous arguments regarding the Office's asserted equivalence of the claimed spline connection and Reik's arrangement of bolted leaf springs 60. Regarding the Office's observation that there is no structure in Reik that would negate or discount the use of a spline connection, Applicants respectfully observe that substitution of a spline connection in place of the bolt connection in Reik would eliminate the bolted connection of leaf springs 60 and is therefore contraindicated.


For the foregoing reasons, Claim 2 distinguishes patentably from Reik and should now be allowed.

In view of the amendments presented herein, and the discussion above, this application is clearly in condition for allowance and should now be passed to issue.

A prompt Notice of Allowance is respectfully solicited.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (XA-9598) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

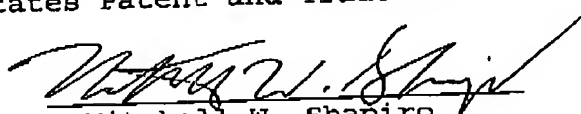
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on October 31, 2007.

  
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